

into a RCRA CAO, pursuant to section 3008(h) of RCRA, on February 28, 1990. The 1990 RCRA CAO will remain in effect until such time when ADPC&E determines that the terms of this order have been satisfied. Frit Industries has been in compliance with the RCRA CAO. All known groundwater contamination is being addressed through ADPC&E and EPA's exercise of its corrective action authorities pursuant to RCRA.

3. Response under RCRA is progressing adequately.

Corrective action is progressing satisfactorily under the RCRA CAO, as described above. There has been no history of protracted negotiations due to lack of cooperation. See 60 FR 14642, 14643 (March 20, 1995).

4. Deletion would not disrupt an ongoing CERCLA action.

The EPA has received the following concurrence from ADPC&E: "The ADPC&E concurs in the decision to delete the site from the NPL, but reserves all of its rights, abilities and authorities to address contamination at the site and to pursue responsible parties regarding this contamination."

The EPA concludes that this Site meets the criteria under the new NPL deletion policy and announces its intention to delete the Site from the NPL.

The EPA believes it is appropriate to delete sites from the NPL based upon the deferral policy to RCRA under these established circumstances. Deletion of this site from the NPL to defer it to RCRA Subtitle C corrective action authorities avoids possible duplication of effort and the need for Frit Industries to follow more than one set of regulatory procedures. Moreover, EPA and the State of Arkansas (ADPC&E) have determined that remedial actions conducted at the site to date and scheduled in future under RCRA actions have been and will remain protective of public health, and the environment.

Dated: June 30, 1997.

Approved By:

Lynda F. Carroll,

Acting Regional Administrator.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-5862-9]

National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

AGENCY: Environmental Protection Agency.

ACTION: Notice of Intent to Delete Union Pacific Railroad Sludge Pit Site from the National Priorities List Update: Request for Comments.

SUMMARY: The Environmental Protection Agency (EPA), Region 10, announces its intent to delete the Union Pacific Railroad (UPRR) Sludge Pit Site in Pocatello, Idaho from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR part 300 which is the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended. EPA and the State of Idaho Division of Environmental Quality (IDEQ) have determined that the Site poses no significant threat to public health or the environment and, therefore, further remedial measures pursuant to CERCLA are not appropriate.

DATES: Comments concerning this Site may be submitted on or before August 25, 1997.

ADDRESSES: Comments may be mailed to: Deborah J. Yamamoto, Environmental Protection Agency, 1200 Sixth Avenue, Mail Stop ECL-113, Seattle, Washington 98101.

Comprehensive information on this Site is available through the Region 10 public docket which is available for viewing at the UPRR Sludge Pit Site information repositories at the following locations:

Pocatello Public Library, 113 S.

Garfield, Pocatello, Idaho 83204.

United States Environmental Protection Agency, Region 10 Office of Environmental Cleanup—Records Center, Attn: Bob Phillips, 1200 Sixth Avenue, Mail Stop ECL-110, Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Deborah J. Yamamoto, U.S. EPA Region 10, 1200 Sixth Avenue, Mail Stop ECL-113, Seattle, Washington 98101, (206) 553-7216.

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I. Introduction

The Environmental Protection Agency (EPA), Region 10 announces its intent to delete a site from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300, and requests comments to this deletion. EPA identifies sites on the NPL that appear to present a significant risk to human health or the environment. As described in § 300.425(e)(3) of the NCP, sites deleted from the NPL remain eligible for Fund-financed remedial actions in the unlikely event that conditions at the site warrant such actions.

EPA plans to delete the Union Pacific Railroad Sludge Pit Site ("Site") at 300 South Harrison, Pocatello Idaho, 83201, from the NPL.

EPA will accept comments on the plan to delete this Site for thirty days after publication of this document in the **Federal Register**.

Section II of this document explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the UPRR Sludge Pit Site and explains how the Site meets deletion criteria.

II. NPL Deletion Criteria

Section 300.425 (e) of the NCP provides that "releases" (sites) may be deleted from, or recategorized on, the NPL where no further response is appropriate. In making a determination to delete a site from the NPL, EPA shall consider, in consultation with the state, whether any of the following criteria have been met:

(i) Responsible parties or other parties have implemented all appropriate response actions required;

(ii) All appropriate Fund-financed responses under CERCLA have been implemented, and no further action by responsible parties is appropriate, or

(iii) The remedial investigation has shown that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Even if a site is deleted from the NPL, where hazardous substances, pollutants or contaminants remain at the site *above* levels that allow for unlimited use and unrestricted exposure, EPA's policy is that a subsequent review of the site will be conducted at least every five years

after the initiation of the remedial action at the site to ensure that the site remains protective of public health and the environment. In the case of the UPRR Sludge Pit Site, no hazardous substances were left on-Site, making "unlimited use and unrestricted exposure" possible. Therefore, the five-year review requirement of Section 121 (c) of SARA is not applicable. If, however, new information becomes available that indicates a need for further action, EPA may require remedial actions. Whenever there is a significant release from a site deleted from the NPL, the site may be restored to the NPL without the application of the Hazard Ranking System.

III. Deletion Procedures

The following procedures were used for the intended deletion of this Site: (1) EPA Region 10 issued a final close out report documenting the achievement of cleanup goals; (2) The Idaho Division of Environmental Quality (IDEQ) concurred with the proposed deletion decision; (3) A notice has been published in the local newspaper and has been distributed to appropriate federal, state, and local officials and other interested parties announcing the commencement of a 30-day public comment period on EPA's Notice of Intent to Delete; and, (4) All relevant documents have been made available for public review in the local Site information repository.

Deletion of the Site from the NPL does not itself, create, alter or revoke any individual rights or obligations. The NPL is designed primarily for information purposes to assist EPA management. As mentioned in Section II of this document, 40 CFR 300.425(e)(3) states that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

EPA's Regional Office will accept and evaluate public comments on EPA's Notice of Intent to Delete before making a final decision. The Agency will prepare a Responsiveness Summary if any significant public comments are received.

A deletion occurs when the Regional Administrator places a final action in the **Federal Register**. Generally, the NPL will reflect deletions in the final update following the Notice. Public notices and copies of the Responsiveness Summary will be made available to local residents by EPA's Regional Office in Seattle, Washington.

IV. Basis for Intended Site Deletion

The following Site summary provides the Agency's rationale for the intention to delete this Site from the NPL.

A. Site Background

The UPRR Sludge Pit Site is located at 300 South Harrison in Pocatello, Bannock County, Idaho. The Site is approximately one acre in size, and is located north of UPRR's West Pocatello Railroad Yard, a several hundred acre facility located northwest of the City of Pocatello. The McCarty's/Pacific Hide and Fur Superfund site is directly northeast of the sludge pit. The Site is located in an area of mixed commercial and light industrial property.

B. History

UPRR has operated a railroad yard on the property since the turn of the century. Operations have included maintenance and repair work, train assembly, and refueling. Railroad operations have involved the use of various fuels, cleaning agents, detergents and degreasers, including solvents.

UPRR operates a waste water treatment plant (oil/water separator and dissolved air flotation unit). The treatment plant receives water from all rail yard storm drains and from many building floor drains. Between 1961 and 1983, approximately 3,000 gallons per week of sludge generated by treatment of the waste water at the plant were collected and disposed in an unlined pit.

An EPA site investigation conducted in 1983 found that seepage from the sludge pit and a former railroad tie treating facility contributed to ground-water contamination beneath the pit. Ground-water samples from nearby private wells contained low levels of organic compounds consistent with the wastes discharged to the pit. As a result of this investigation, the Site was placed on the NPL in 1984 (49 FR 37083).

The sludge pit was investigated and sampled by UPRR as part of a remedial investigation (RI) that lasted from 1985 to 1988. A variety of contaminants, including heavy metals (cadmium, chromium, copper, lead and zinc), volatile and semi-volatile organic compounds (ethylbenzene, xylenes, trans-1,2-dichloroethene, tetrachloroethene, polycyclic aromatic hydrocarbons (PAHs), nitrosamines, dichlorobenzene and a phthalate) were found in the sludge (and to a lesser extent, the underlying soil and silt) at the Site during the RI. Contamination in ground water consisted primarily of PAHs, as nonaqueous phase liquids

(NAPLs), floating on the surface of the water table in the upper aquifer below the sludge pit. Low levels of heavy metals, semi-volatile and volatile organic compounds (VOCs) found in the sludge were also found in the ground water.

The RI found that the sludge posed the greatest risk to human health through possible direct contact and as a continuing potential source to ground-water contamination. During 1990, UPRR finalized the RI, as well as the human health and ecological risk assessment. The feasibility study (FS) was completed in early 1991.

Based on the results of the RI/FS and risk assessment, EPA signed a Record of Decision (ROD) for the Site on September 10, 1991. The selected remedial action in the ROD included the following components:

- Excavation and off-site disposal of contaminated soil, silt, and sludge to the maximum extent practicable; treatment of excavated material that failed the toxicity characteristic leachate procedure test; excavated areas backfilled with clean fill and graded; construction and maintenance of a low permeability cap over the entire pit boundary, and construction of a permanent fence around the entire sludge pit.

- Treatment of remaining, unexcavated soil and NAPL-contaminated ground water via soil flushing, an on-Site oil/water separator and a dissolved air flotation unit (DAF); effluent discharge to the publicly owned treatment works (POTW) and residual sludge tested and appropriately disposed off-site.

- Provision for design and installation of an alternate water supply system in the event that the system is deemed necessary.

- Implementation of administrative and institutional controls in the property deed such as air monitoring, ground-water monitoring, and land and water use restrictions.

- Implementation of quarterly ground-water monitoring for all on-Site wells, at a minimum, for the first three years following completion of remedial activities.

- Implementation of comprehensive on- and off-Site soil and ground-water sampling, prior to initiation of the remedial action (RA), to determine background levels and the extent to which on-Site concentrations exceed background.

In 1992 and 1993, UPRR undertook several remedial design (RD) support activities, including sampling soil and ground water to determine background concentrations, and three rounds of

ground-water sampling of all on-Site monitoring wells to establish baseline VOC, PAH, and metals concentrations. In addition, UPRR conducted a soil treatability study to test tap water and commercially available surfactants as potential soil flushing solutions for use in the in situ soil flushing system.

Based on the results of the pre-RD activities, EPA determined that an amendment to the ROD was necessary. The Amended ROD, signed on September 29, 1994, set forth the final remedial performance standards and cleanup levels for contaminants at the Site. The Amended ROD also modified the original remedy by eliminating the requirements to install an in situ soil flushing system, the DAF treatment component of the ground-water pretreatment system, and the permanent Site fence.

Based on the treatability study test results and the tests performed on the contaminated soil beneath the sludge pit, EPA concluded that in situ soil flushing would not achieve the goal of improving or providing appreciable protection of the ground water. The tests also showed that the DAF unit was not needed since contaminant concentrations in leachate and the upper aquifer were significantly below the required discharge limits mandated by the POTW. The DAF unit was not suitable for removal of the free oil whereas the oil/water separator, which remained a part of the pretreatment system, was designed for that purpose. UPRR installed a temporary fence during remedial action for Site security and to protect the public from physical contact with contaminated material during construction. Since contaminated material in the sludge pit was excavated and filled with clean material, future exposure to contaminated soil was eliminated once construction activities were completed, thereby eliminating the need for a permanent fence.

C. Characterization of Risk

Prior to cleanup, the preliminary environmental pathways of concern were potential direct contact with sludge in the pit and potential ingestion of contaminated ground water. The estimated pre-remediation site-specific cancer risk for ground water was 1×10^{-3} .

Remedial action began in 1994 and included excavation of the sludge pit, filling the pit with clean material, installation of a geomembrane cover, no-dig barrier and final grading. All contract work was completed by the end of November 1994.

UPRR began ground-water monitoring in July 1994 and ground-water extraction/treatment in late November 1994. In July 1995, UPRR submitted documentation that performance monitoring results indicated achievement of the ground-water performance standards. UPRR conducted its first round of long-term ground-water compliance monitoring on July 21, 1995. On August 8, 1995, EPA approved shut down of the ground-water extraction/treatment system. UPRR has conducted four rounds of long-term compliance monitoring since July 1995.

Removal of contaminated sludge and installation of a cover over the former sludge pit has eliminated direct contact as a potential route of exposure and removed the source of ground-water contamination. Analytical data from four rounds of ground-water compliance monitoring indicate that concentrations of contaminants of concern are below ROD cleanup levels. Current Site risk from chemicals of concern is 7×10^{-5} , which is less than the ROD cleanup level of 1×10^{-4} cumulative cancer risk for combined residential/industrial land use.

With the implementation and completion of all remedial activities, the Site no longer poses any threat to human health or the environment, insuring that no further action is required. With the exception of decommissioning of the extraction/treatment system and abandoning of monitoring wells, there are no other operation and maintenance activities to be performed at the Site. No hazardous substances were left on-Site above levels that allow for unlimited use and unrestricted exposure; therefore, the five year review requirement of Section 121 (c) of SARA is not applicable.

D. Public Participation

Community input has been sought by EPA Region 10 throughout the cleanup process at the Site. Information repositories were established at the Southeastern Idaho Health District Office and at the Pocatello Public Library. Fact sheets were distributed in 1988, 1989, and 1990, and the proposed plan for cleanup was issued in 1991. Additional fact sheets were distributed in September 1992 and July 1994.

A copy of the Deletion Docket can be reviewed by the public at the Pocatello Public Library, or the EPA Region 10 Superfund Records Center. The Deletion Docket includes this document, the ROD, Amended ROD, Remedial Action Construction Report, and Final Site Close-Out Report. EPA Region 10 will also announce the availability of the

Deletion Docket for public review in a local newspaper and informational fact sheet.

One of the three criteria for deletion specifies that EPA may delete a site from the NPL if "responsible parties or other persons have implemented all appropriate response actions required." EPA, with the concurrence of IDEQ, believes that this criterion for deletion has been met. Ground-water and soil data from the Site confirm that the ROD cleanup goals have been achieved. There is no significant threat to human health or the environment and, therefore, no further remedial action is necessary. Consequently, EPA is proposing deletion of this Site from the NPL. Documents supporting this action are available in the docket at the information repositories.

Dated: July 10, 1997.

Chuck Clarke,

Regional Administrator, Region 10.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Parts 90, 98, 125-136, 170, 174, and 175

[CGD 97-042]

Offshore Supply Vessels

AGENCY: Coast Guard, DOT.

ACTION: Request for comments.

SUMMARY: The Coast Guard is considering developing additional regulations to address offshore supply vessels (OSV's). First, it needs to determine a tonnage breakpoint and appropriate standards for larger OSV's because of concerns on the adequacy of the existing regulations, especially for vessels competing in the international market. Second, because of industry commitments to a previous rulemaking, it needs to bring crew boats under regulations for OSV's.

DATES: Comments must reach the Coast Guard on or before September 23, 1997.

ADDRESSES: You may mail comments to Executive Secretary, Marine Safety Council (G-LRA), Room 3406, U.S. Coast Guard Headquarters, 2100 Second Street, SW., Washington, DC 20593-0001, or deliver them to the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

FOR FURTHER INFORMATION CONTACT: James M. Magill, Office of Operating